

**Arizona Supreme Court**  
**Civil Petition for Review - Special Action**

**CV-22-0131-PR**

**CYBER NINJAS v HON. KEMP et al**

**Appellate Case Information**

Case Filed: 19-May-2022  
Case Closed:

**Dept/Composition**

**Side 1. CYBER NINJAS, INC., Petitioner**

(Litigant Group) CYBER NINJAS, INC.

- Cyber Ninjas Inc

**Attorneys for: Petitioner**

Dennis I Wilenchik, Esq. (AZ Bar No. 5350)

John D Wilenchik, Esq. (AZ Bar No. 29353)

Jordan C Wolff, Esq. (AZ Bar No. 34110)

**Side 2. THE HONORABLE MICHAEL KEMP, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA, Respondent Judge**

(Litigant Group) THE HONORABLE MICHAEL KEMP, Judge of the SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of MARICOPA

- Hon. Michael W Kemp

**Side 3. PHOENIX NEWSPAPERS, INC., an Arizona corporation, and KATHY TULUMELLO; ARIZONA STATE SENATE, a public body of the State of Arizona;, Real Party in Interest**

(Litigant Group) PHOENIX NEWSPAPERS/TULUMELLO

- Phoenix Newspapers Inc
- Kathy Tulumello

**Attorneys for: Real Party in Interest**

David Jeremy Bodney, Esq. (AZ Bar No. 6065)

Craig C Hoffman, Esq. (AZ Bar No. 26017)

Matthew E Kelley, Esq. (AZ Bar No. 37353)

**Side 4. KAREN FANN, in her official capacity as President of the Arizona State Senate; WARREN PETERSEN, in his official cthe Chairman of the Arizona Senate Committee on the Judiciary; SUSAN ACEVES, in her official capacity as Secretary of the Arizona State Senate, Real Party in Interest**

(Litigant Group) SENATE et al

- Arizona State Senate
- Karen Fann
- Warren Petersen
- Susan Aceves

**Attorneys for: Real Party in Interest**

Kory A Langhofer, Esq. (AZ Bar No. 24722)

Thomas J Basile, Esq. (AZ Bar No. 31150)

**CASE STATUS**

May 19, 2022....Pending

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-SA 22-0073					
↻ MAR CV2021-008265			Michael W Kemp, Authoring Judge of Order Comments: (none)		
↻ MAR LC2021-000180-001			Michael W Kemp, Authoring Judge of Order Comments: (none)		

**9 PROCEEDING ENTRIES**

1. 19-May-2022 FILED: Petition for Review; Certificate of Service; Certificate of Compliance; Order Accepting Jurisdiction, Denying Relief (Petitioner Cyber Ninjas)
2. 19-May-2022 FILED: Motion to Exceed Word Count Regarding Petition for Review; Certificate of Service (Petitioner Cyber Ninjas)

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**9 PROCEEDING ENTRIES**

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| 3. | 24-May-2022 | Petitioner Cyber Ninjas filed a "Motion to Exceed Word Count Regarding Petition for Review" on May 19, 2022. Pursuant to Arizona Rules of Civil Appellate Procedure, Rule 6(b), a motion for a procedural order must include a statement by the moving party of whether the other parties consent to, or object to, the entry of the order that is sought; or why the moving party was unable to contact the other parties before filing the motion, and the caption of a motion for procedural order must include the words, "Motion for Procedural Order." The motion does not comply with these requirements. Therefore,<br><br>IT IS ORDERED the motion is denied without prejudice to Petitioner's ability to file a motion in compliance with ARCAP 6(b). This matter is subject to dismissal if a compliant motion is not filed by June 1, 2022. (Tracie K. Lindeman, Clerk) |
| 4. | 26-May-2022 | FILED: Record from CofA: Electronic Record  |
| 5. | 31-May-2022 | RECEIPT No.: ASC2022-00548 ; \$280.00, Authorization: 821581251525564931, Applied to: CYBER NINJAS, INC. - Class A Filing Fee (\$280.00) Paid for: CYBER NINJAS, INC. - By nCourt LLC   |
| 6. | 31-May-2022 | FILED: Motion for Procedural Order; Certificate of Service (Petitioner Cyber Ninjas)  |
| 7. | 2-Jun-2022  | A "Motion for Procedural Order" (Petitioner Cyber Ninjas) seeking leave to file an overlong petition for review having been filed, and the Clerk of the Court having been authorized by the Supreme Court to enter orders granting or denying requests for extended word count,<br><br>IT IS ORDERED granting Petitioner Cyber Ninjas' request to exceed the thirty-five hundred word count limitation stated in Rules 23(g)(2), Arizona Rules of Civil Appellate Procedure by 1,042 words. (Tracie K. Lindeman, Clerk)   |
| 8. | 17-Jun-2022 | FILED: Real Parties in Interest Phoenix Newspapers, Inc.'s and Kathy Tulumello's Brief in Opposition to Petitioner Cyber Ninjas Inc.'s Petition for Review; Certificate of Service; Certificate of Compliance (Real Parties Phoenix Newspapers/Tulumello)   |
| 9. | 17-Jun-2022 | FILED: Supplemental Appendix 1 through 18 Segment 1; Certificate of Service; APPENDIX - Supplemental Appendix 1 though 18 Segment 2; APPENDIX - Supplemental Appendix 1 through 18 Segment 3 (Real Parties Phoenix Newspapers/Tulumello)  |